

To: Matthew Powelson(matt@321-law.com)
Subject: U.S. Trademark Application Serial No. 97563078 - CARIBBEAN WATERWORKS - PSE.T.001
Sent: January 25, 2024 09:41:06 AM EST
Sent As: tmng.notices@uspto.gov

Attachments

[screenshot-www-merriam-webster-com-dictionary-Caribbean-17061935651201](#)

United States Patent and Trademark Office (USPTO)
Office Action (Official Letter) About Applicant's Trademark Application

U.S. Application Serial No. 97563078

Mark: CARIBBEAN WATERWORKS

Correspondence Address:

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UNITED STATES

Applicant: Paul Sims Enterprises, Inc.

Reference/Docket No. PSE.T.001

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NONFINAL OFFICE ACTION

Response deadline. File a response to this nonfinal Office action within three months of the “Issue date” below to avoid [abandonment](#) of the application. Review the Office action and respond using one of the links to the appropriate electronic forms in the “How to respond” section below.

Request an extension. For a fee, applicant may [request one three-month extension](#) of the response deadline prior to filing a response. The request must be filed within three months of the “Issue date” below. If the extension request is granted, the USPTO must receive applicant’s response to this letter within six months of the “Issue date” to avoid abandonment of the application.

Issue date: January 25, 2024

This Office action is in response to applicant’s communication filed on December 21, 2023.

In a previous Office action(s) dated June 22, 2023, the trademark examining attorney refused

registration of the applied-for mark based on the following: Trademark Act Section 2(d) for a likelihood of confusion with a registered mark. In addition, applicant was required to satisfy the following requirement(s): amend the identification of goods and/or services and explain the mark's significance.

Based on applicant's response, the likelihood of confusion refusal and the requirement for an acceptable identification of services are maintained and CONTINUED. The requirement for an explanation of the term CARIBBEAN is satisfied. Based on the response, the following additional requirement is made:

DISCLAIMER REQUIRED

Applicant must disclaim the wording "CARIBBEAN" because it is primarily geographically descriptive of the origin of applicant's goods and/or services. *See* 15 U.S.C. §§1052(e)(2), 1056(a); *In re Societe Generale des Eaux Minerales de Vittel S.A.*, 824 F.2d 957, 959, 3 USPQ2d 1450, 1451-52 (Fed. Cir. 1987); TMEP §§1210.01(a), 1210.06(a), 1213.03(a).

Caribbean is defined as "of or relating to the [Caribs](#), the eastern and southern West Indies, or the Caribbean Sea." The attached evidence from the Merriam-Webster dictionary shows that CARIBBEAN is a generally known geographic place or location. *See* TMEP §§1210.02 *et seq.* The goods and/or services for which applicant seeks registration originate in this geographic place or location as shown by applicant's response related to the significance of the term. *See* TMEP §1210.03. Because the goods and/or services originate in this place or location, a public association of the goods and/or services with the place is presumed. *See In re Hollywood Lawyers Online*, 110 USPQ2d 1852, 1858 (TTAB 2014) (citing *In re Spirits of New Merced, LLC*, 85 USPQ2d 1614, 1621 (TTAB 2007)); TMEP §§1210.02(a) 1210.04.

Applicant may respond to this issue by submitting a disclaimer in the following format:

No claim is made to the exclusive right to use "CARIBBEAN" apart from the mark as shown.

For an overview of disclaimers and instructions on how to provide one using the Trademark Electronic Application System (TEAS), see the [Disclaimer webpage](#).

How to respond. File a [response form to this nonfinal Office action](#) or file a [request form for an extension of time to file a response](#).

/Bridgett Smith/
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Bridgett.Smith@USPTO.GOV

RESPONSE GUIDANCE

- **Missing the deadline for responding to this letter will cause the application to [abandon](#).** A response or extension request must be received by the USPTO before 11:59 p.m. **Eastern Time** of the last day of the response deadline. Trademark Electronic Application System (TEAS) [system availability](#) could affect an applicant's ability to timely respond. For help resolving technical issues with TEAS, email TEAS@uspto.gov.
- **[Responses signed by an unauthorized party](#)** are not accepted and can **cause the application to [abandon](#)**. If applicant does not have an attorney, the response must be signed by the individual applicant, all joint applicants, or someone with [legal authority to bind a juristic applicant](#). If applicant has an attorney, the response must be signed by the attorney.
- If needed, **find [contact information for the supervisor](#)** of the office or unit listed in the signature block.

Merriam-Webster

Est. 1828

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caribbean

Q

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Merriam-Webster

Est. 1828

DictionaryThesaurus

caribbean

Q

Games & QuizzesWord of the DayGrammarWordplayWord FinderMore

Jardiance
(empagliflozin) tablets
10 mg/25 mg

Dictionary

Definition

- Example Sentences
- Word History
- Phrases Containing
- Entries Near
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Caribbean adjective

Ca-rib-be-an ,ker-ə-ˈbē-ən ,ka-rə-, kə-ˈri-bē-ən

: of or relating to the Caribs, the eastern and southern West Indies, or the Caribbean Sea
the Caribbean islands
a Caribbean cruise



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Quordle

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| D | A | I | L | Y |

Example Sentences

Word History

Phrases Containing

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Example Sentences

Word History

Phrases Containing

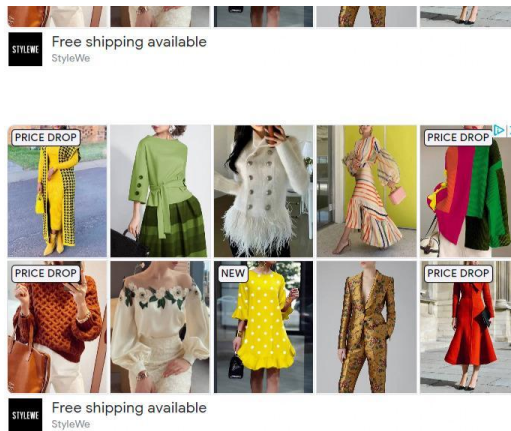
Entries Near

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Examples of *Caribbean* in a Sentence

Recent Examples on the Web

Ice Age horses that occupied Alaska in the distant past, some anole lizards living on *Caribbean* islands, many types of turtles, and even dragonflies all shrunk through time, research suggests.

— Lauren Leffer, *Popular Science*, 18 Jan. 2024

Arising in the 1970s among New York's Black, Latino and *Caribbean* inner-city youth, hip-hop transformed from a cultural movement into a commercially successful global phenomenon.

— Heran Mamo, *Billboard*, 17 Jan. 2024

Yet for all their gender-blending and onstage flash, Culture Club's neatest trick is producing its ambitious and undeniably ingratiating merging of American soul.

Can you solve 4 words at once?

Play

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Quordle

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| L | O | V | E | R |
| P | L | A | Y | S |
| D | A | I | L | Y |

Can you solve 4 words at once?

Play



WORD OF THE DAY

vivacious

Show Less

Save Word

Example Sentences

Word History

Phrases Containing

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Example Sentences

Caribbean reggae and British New Wave.

— David Fricke, *Peoplemag*, 14 Jan. 2024

[See More](#)

These examples are programmatically compiled from various online sources to illustrate current usage of the word 'Caribbean.' Any opinions expressed in the examples do not represent those of Merriam-Webster or its editors. [Send us feedback](#) about these examples.



Word History

Etymology

New Latin *Caribbaeus*, from *Caribes*

First Known Use

1772, in the meaning defined [above](#)

Time Traveler

The first known use of *Caribbean* was in 1772

[See more words from the same year](#)

Vivacious

[See Definitions and Examples »](#)

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Word History

Phrases Containing
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Example Sentences
Word History
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Phrases Containing *Caribbean*

[East Caribbean dollar](#)

Dictionary Entries Near *Caribbean*

[Cariban](#)

Caribbean

[Caribbean pine](#)

[See More Nearby Entries >](#)

Cite this Entry

Style

"Caribbean." *Merriam-Webster.com Dictionary*, Merriam-Webster, <https://www.merriam-webster.com/dictionary/Caribbean>. Accessed 25 Jan. 2024.

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More from Merriam-Webster on *Caribbean*

Britannica.com: [Encyclopedia article about Caribbean](#)

Last Updated: 21 Jan 2024 - Updated example sentences

Last Updated: 21 Jan 2024 - Updated example sentences

Save Word 

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MERRIAM-WEBSTER UNABRIDGED

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Quordle

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Blossom Word Game

You can make only 12 words. Pick the best ones!

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Missing Letter

A crossword with a twist

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Spelling Bee Quiz

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United States Patent and Trademark Office (USPTO)

USPTO OFFICIAL NOTICE

Office Action (Official Letter) has issued
on January 25, 2024 for
U.S. Trademark Application Serial No. 97563078

A USPTO examining attorney has reviewed your trademark application and issued an Office action. You must respond to this Office action to avoid your application abandoning. Follow the steps below.

- (1) **[Read the Office action](#)**. This email is NOT the Office action.
- (2) **Respond to the Office action by the deadline** using the Trademark Electronic Application System (TEAS). Your response, or extension request, must be received by the USPTO on or before 11:59 p.m. **Eastern Time** of the last day of the response deadline. Otherwise, your application will be [abandoned](#). See the Office action itself regarding how to respond.
- (3) **Direct general questions** about using USPTO electronic forms, the USPTO [website](#), the application process, the status of your application, and whether there are outstanding deadlines to the [Trademark Assistance Center \(TAC\)](#).

After reading the Office action, address any question(s) regarding the specific content to the USPTO examining attorney identified in the Office action.

GENERAL GUIDANCE

- **[Check the status](#) of your application periodically** in the [Trademark Status & Document Retrieval \(TSDR\)](#) database to avoid missing critical deadlines.
- **[Update your correspondence email address](#)** to ensure you receive important USPTO notices about your application.
- **[Beware of trademark-related scams](#)**. Protect yourself from people and companies that may try to take financial advantage of you. Private companies may call you and pretend to be the USPTO or may send you communications that resemble official USPTO documents to trick you. We will never request your credit card number or social security number over the phone. Verify the correspondence originated from us by using your serial number in our database, [TSDR](#), to confirm that it appears under the “Documents” tab, or contact the [Trademark Assistance Center](#).
- **[Hiring a U.S.-licensed attorney](#)**. If you do not have an attorney and are not required to

have one under the trademark rules, we encourage you to hire a U.S.-licensed attorney specializing in trademark law to help guide you through the registration process. The USPTO examining attorney is not your attorney and cannot give you legal advice, but rather works for and represents the USPTO in trademark matters.